THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.15003 of 2007

DATED : 30-07-2007

Between :

Arika Sombra

…Petitioner.

AND

The Station House Officer,
Neelakantapuram Police Station,
Kurupam Mandal,
Vizianagaram District and another.

…Respondents.

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ORAL ORDER : (per the Hon'ble Sri Justice D.Appa Rao)

Heard learned Assistant Government Pleader, representing the learned Advocate General appearing for the respondents.

2. This writ petition is taken up on the basis of a letter, dated 12-06-2007, sent by one Arika Sombra, alleging that his son viz., Arika Pandu, was forcibly taken away by the Sub-Inspector of Police,

Neelakantapuram Police Station, Kurupam Mandal, on 11-02-2007 and apprehending danger to his life.

3. The Sub-Inspector of Police, Neelakantapuram Police Station, Kurupam Mandal, Vizianagaram District, filed a counter affidavit stating that the alleged detenu was earlier a Member of an Extremists Organisation and later, on 25-02-2007, he was voluntarily surrendered before the Superintendent of Police, Vizianagaram, on the ground that he was vexed with the underground life and the policies of the Organisation. Subsequently, he was employed as Home Guard and now working at Vizianagaram. The alleged detenu was produced before the Tahsildar-cum-Mandal Executive Magistrate, who recorded his statement, wherein the alleged detenu reiterated that he has been working as Home Guard and living independently without any difficulty whatsoever and he was never detained by the police.

4. In view of the fact that the alleged detenu was never detained by the police and moving freely working as Home Guard, we do not see any ground whatsoever to continue the writ petition any further. There are no merits in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D.APPA RAO

30-07-2007

Msr.

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(Msr)